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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,192	03/11/2004	Kao-Cheng Hsieh		4738
2292	7590	10/17/2006		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER NGUYEN, KEVIN M	
			ART UNIT 2629	PAPER NUMBER

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,192	HSIEH, KAO-CHENG	
	Examiner	Art Unit	
	Kevin M. Nguyen	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al (US 5,515,051) hereinafter Tanaka.

3. As to claim 1, figure 1 of Tanaka discloses a wireless human input device (2) comprising:

at least one wireless human transmitting unit *[at least one keyboard 2 contains a transmitter]*, generating different leading signals and data signals, and transmitting said signals *[figure 2 of Tanaka discloses generating the digital data information, also referred as a frame, is comprised of a 5-byte header, a data part, and a checksum (2 bytes), and transmitting those signals to a receiver]*; and

a wireless human receiving unit, receiving all the leading signals for identifying said wireless human transmitting unit and receiving the data signal corresponding to the leading signals *[figure 1 of Tanaka discloses a word processor 1 containing a receiver which decides whether reception is permitted by processing said digital data information, and then processing said digital data information with an appropriate*

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receiver by setting ID codes for the plurality of receivers, see col. 2, line 33 through col. 3, line 29 for further details of the explanation].

4. As to claim 2, the wireless human input device as claimed in claim 1, wherein said at least include a waveform signal for setting a waveform length, *whereas Tanaka discloses "[s]ince the length of the actual data part is variable, the 2-byte data next to the ID code indicates the byte count of the data part, e.g., FFH code" col. 3, lines 2-7. "For example, FFH indicates that the ID codes are not preset. In the case of a transmitter (key unit 2) in which a user can take the initiative of setting an ID code, the initial value is FFH" col. 3, lines 14-17. Thus, said setting lengths of ID data or said electric waves correspond to "for setting a waveform length."*

5. As to claim 3, the wireless human input device as claimed in claim 1, wherein said wireless human transmitting unit is a wireless mouse transmitting unit, a wireless keyboard transmitting unit or a wireless touch pad transmitting unit, *whereas Tanaka discloses said at least wireless keyboard 2.*

6. As to claim 4, the wireless human input device as claimed in claim 1, wherein said wireless human receiving unit is commonly used for said at least wireless human transmitting unit, *whereas Tanaka discloses a plurality of transmitter and a single receiver, see the abstract.*

7. As to claim 5, the wireless human input device as claimed in claim 1, wherein said wireless human transmitting unit at least includes a first electronic circuit device for generating said leading signals, *whereas Tanaka discloses a wireless keyboard includes a first transmitter for wirelessly transmitting serial frames of data, see col. 5,*

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lines 58-62. Thus, said first transmitter inherently includes a control circuit for controlling said first transmitter, which corresponds to a first electronic circuit device.

8. As to claim 6, the wireless human input device as claimed in claim 1, wherein said wireless human receiving unit at least includes a second electronic circuit device for identifying said leading signals, *whereas Tanaka discloses a word processor including a receiver for receiving a frame of wirelessly transmitted data from the first and second transmitters, detecting whether the received frame is separated from adjacent frames by the preset time interval, and decoding the identification information in the received frame, see claim 14 of Tanaka. Thus, said receiver inherently includes a control circuit for controlling said receiver, which corresponds to a second electronic circuit device.*

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, a supervisor RICHARD A. HJERPE can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kevin M. Nguyen
Patent Examiner
Art Unit 2629

KMN
October 13, 2006